

ORDINANCE NO. 12-56

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AUTHORIZING THE MAYOR AND THE CITY CLERK, AS ATTESTING WITNESS, ON BEHALF OF THE CITY, TO ENTER INTO A LEASE AGREEMENT BETWEEN THE CITY, AS LANDLORD, AND THE UNIVERSITY OF FLORIDA TO CONTINUE OPERATING A DENTAL CLINIC SERVING LOW-INCOME AND MODERATE-INCOME RESIDENTS LOCATED AT 740 AND 750 EAST 25 STREET, HIALEAH, FLORIDA, FOR A PERIOD OF FIVE YEARS, COMMENCING ON SEPTEMBER 25, 2012 AND ENDING ON SEPTEMBER 24, 2017, FOR AN ANNUAL AMOUNT OF \$1.00, WITH A FIVE-YEAR OPTION TO RENEW, IN THE FORM AS ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "1"; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City entered into a lease with the University of Florida dated February 26, 1998 whereby the University of Florida, as a tenant, leased premises for 10 years ending on September 24, 2007 with a 5-year renewal; and

WHEREAS, the University of Florida renewed the lease for 5 years ending on September 24, 2012;

WHEREAS, the City of Hialeah used Community Development Block Grant funds to rehabilitate and retrofit the building located at 740-750 East 25 Street, Hialeah, Florida; and

WHEREAS, Hialeah Hospital donated the building to the City and conveyed the land to the City by quitclaim deed dated September 11, 1997; and

WHEREAS, the City holds an easement for the joint use of the parking areas on the adjoining lots to the west of the building; and

WHEREAS, the City finds that it is advisable and in the best interest of the City to renew a lease agreement with the University of Florida to operate a dental clinic serving low-income and moderate-income residents as part of the University's Advanced Education in Dentistry and Internationally-Educated Dentist programs.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The City of Hialeah, Florida hereby authorize the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a lease agreement between the City of Hialeah, as landlord, and the University of Florida, as tenant, to continue operating a dental clinic serving low-income and moderate-income residents, located at City Hall, 740 and 750 East 25 Street, Hialeah, Florida, for a period of five years, commencing on September 25, 2012 and ending on September 24, 2017, for an annual amount of \$1.00, with a five-year option to renew, in the form as attached hereto and made a part hereof as Exhibit "1".

Section 2: Penalties.

Every person violating any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be assessed a civil penalty not to exceed \$500.00 within the discretion of the court or administrative tribunal having jurisdiction. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisance, injunctive relief, administrative adjudication and revocation or suspension of licenses or permits.

Section 3: Severability Clause.

If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

Section 4: Effective Date.

This ordinance shall become effective when passed by the City Council and signed by the Mayor of the City of Hialeah, Florida or at the next regularly scheduled

City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

PASSED AND ADOPTED this 25 day of September, 2012.

THE FOREGOING ORDINANCE
OF THE CITY OF HIALEAH WAS
PUBLISHED IN ACCORDANCE
WITH THE PROVISIONS OF
FLORIDA STATUTE 166.041
PRIOR TO FINAL READING.



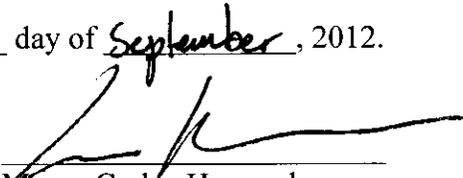
Isis Garcia-Martinez
Council President

Attest:

Approved on this 26 day of September, 2012.

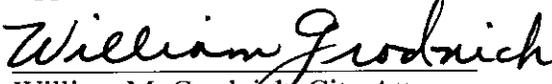


Marbelys Rubio, Acting City Clerk



Mayor Carlos Hernandez

Approved as to form and legal sufficiency:



William M. Grodnick, City Attorney

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Ordinance was adopted by a unanimous vote with Council Members, Caragol, Casals-Muñoz, Cue-Fuente, Garcia-Martinez, Gonzalez, Hernandez and Lozano voting "Yes".